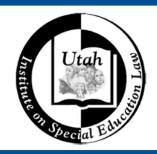
The Annual

UTAH INSTITUTE ON SPECIAL EDUCATION LAW



August 8, and 9, 2013

Ogden Eccles Conference Center, Ogden, Utah

August 8 Agenda

7:00 – 8:00 Registration

8:00 – 8:30 Welcome/Opening Remarks

8:30 – 10:15 Keynote: What's Happening in Special Education Law? Julie Weatherly

Grand Ballroom A, B, C, D, E

Wow! It's been another active year in the area of special education law since last year's Institute! Although the IDEA has not changed since the 2004 Amendments, there is an enormous amount of litigation going on, as courts and agencies attempt to interpret and apply the law's provisions. In this session, Julie will update the audience on significant special education "legal happenings" during the past year, including court decisions and U.S. agency interpretations.

10:15 - 10:30 Break

10:30-12:15 Breakout Session I

A. Section 504 Update

Dave Richards

Grand Ballroom A, B, C, D, E

This session will address the latest areas of concern and interest in Section 504 including 504 litigation by parents of special education students seeking money damages, Section 504 child find issues with respect to students served in Rtl and early intervention and students on health plans, accommodations and services for students with disabilities in accelerated class es (honors, gifted, AP), the impact of IDEA revocation of consent on Section 504, and case updates in the 504 world.

B. Dealing with Dangerous Students

Elena Gallegos

Ballrooms 1,2,3

The IDEA imposes two requirements that are in tension with each other. Schools have a duty to provide a FAPE to every student with a disability including students with severe behavior problems related to their disabilities and schools have a duty to maintain a safe and orderly campus. This presentation will address the strategies the law affords for dealing with dangerous students.

C. Carson Smith Special Needs Scholarship Program

Peggy Milligan

Meeting Rooms 101, 102, 103

In 2004 the Utah Legislature authorized public funds to private schools. In support of parents' choice of placing their student with special needs in a private school, the Carson Smith Special Needs Scholarship (CSS) was established. In this session, the presenter will provide overview information and updates to the law and will discuss responsibilities of public and private schools, parents, and the USOE.

D. Dual Language Learners in Early Childhood

Lillian Duran

Meeting Rooms 201, 202, 203

This first half of this session will focus on the legal requirements in the IDEA to assess preschool-aged children who are English learners in the language or languages most likely to yield accurate results. Appropriate evaluation procedures will be discussed as well as a discussion about the strengths and weaknesses of assessment tools that are available in Spanish. The second half will provide information about evidence-based intervention strategies for preschool English learners. Time will also be allotted to answer questions.

12:15–1:15 Box Lunch

1:15–2:30 Breakout Session II

E. Precision Driven PLAAFPs That Link to the Utah Core Standards

Kim Fratto Connie Nink

Grand Ballroom A

It is not extra work, it is just working smarter. Useful PLAAFP statements that are aligned to the Utah Core Standards will be discussed.

G. Educational Specialist, Behavioral Supports/Mental Health Needs

Carol Anderson Partner (TBA)

Ballrooms 1,2,3

This session will cover the OSEP Letter to Gallo (2013) and clarification of the parental consent requirements in Part B of the IDEA as they relate to functional behavior assessments (FBA).

H. Building a Culture of Collaboration—The Utah State Office of Education Parent Survey Process and Results

Jocelyn Taylor

Meeting Rooms 101, 102, 103

This presentation will report how Utah parents of a child receiving special education services responded to the basic question, "Does your school facilitate parent involvement as a means of improving services and results for children with disabilities?" Depending on their monitoring schedule, all LEAs will participate in the survey. Strategies for improvement of results will be shared.

I. Ways to Build Collaborative Relationships Between Families and Schools Using UPC Data Trends

Michelle Murphy

Grand Ballroom B-E

Come learn all about how to form collaborative relationships with parents! This session will explore the top 10 areas of concerns from parents based off data from the Utah Parent Center. We will discuss each concern and how they can be addressed to avoid misconceptions and miscommunication with parents. You will leave with a better understanding of current parent concerns and with tools to help you be able to create and maintain a positive and collaborative relationship with the parents you work with.

J. Online Education—Living in a World of Educational Choice

Lisa Arbogast

Executive Room 100

2:30–2:45 Break

2:45–4:00 Breakout Session III

K. Meeting the Needs of Students with Physical Impairments Under Section 504

Dave Richards

Grand Ballroom A

With a focus on physical impairments, this session will examine when and how medical data is used by the Section 504 committee to determine eligibility and services, and provide case examples of the issues and challenges faced by schools as they serve Section 504 students with physical impairments with a special emphasis on allergies, asthma, and diabetes.

L. Child Find and Responsiveness to Intervention (RTI) Julie Weatherly

Grand Ballroom B-E

While RTI is sweeping the nation as the model for identification and evaluation of students with disabilities or suspected disabilities, school districts must still be mindful of the child-find duty under both the IDEA and Section 504. Regardless of where a child may be in the RTI process, there are certain things that could still trigger the child-find requirement under the law. This session will focus on the child-find requirements of the IDEA and Section 504 and review relevant agency guidance and court decisions relative to this important issue.

M. Making a Good Record of Your IEP Meeting

Elena Gallegos

Ballrooms 1,2,3

The IDEA requires schools to ensure parent participation in an IEP meeting. Courts have held that predetermination before the meeting or a closed mind during the meeting violates a parent's right to participate in the IEP meeting. The proposals and refusals that take place in an IEP meeting trigger the duty to provide Prior Written Notice. This presentation will address how to make a good record of your IEP meeting including thoroughly structured IEP minutes of the proposals and refusals to meet the requirements of Prior Written Notice.

N. Utah Dispute Resolution Process

Tiffanie Owens

Meeting Rooms 101, 102, 103

This session will provide participants with an overview of Utah's dispute resolution process and procedures. We will also review Utah's 2012–2013 dispute resolution data.

O. Extended School Year (ESY): Rules, Guidelines, and Best Practice

Susan Loving

Meeting Rooms 201, 202, 203

Participants in this session will understand: how a student's eligibility for ESY is determined, including how and when to collect data.

P. LRE and the Continuum of Placements: Making Good IEP Leah Voorhies

Team Decisions and Turning Them into Good SCRAM Data Paul Ashby

Executive Room 100

We will be reviewing the Federal Regulations and State Rules regarding placement and LRE. Then, we will be demonstrating how IEP team decisions become the data that fund special education program and are submitted to OSEP in the APR.

4:00 End of Day One

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August 9

Agenda

7:00 - 7:45 Registration

7:45 – 8:00 Welcome/Opening Remarks

8:00 – 9:00 What's News in Washington, DC?

Lindsay Jones

Grand Ballroom A, B, C, D, E

Are you an avid watcher of politics or would you rather just ignore DC completely? Either way, what's happening in Washington is important to you and your students. Spend time exploring the main issues facing our nation's educators, schools and children with disabilities. Explore teacher evaluation, computer adaptive testing, the common core, online schools, charter schools, and if the IDEA or NCLB will ever be reauthorized. After this pain free session, you will have a much better idea where the national debate stands on these issues, how it impacts Utah and how you can make a difference in policy.

9:00 - 9:15 Break

9:15 – 10:45 Plenary: SAGE Assessment—Overview of New Assessment Including Accommodations and Modifications

John Jesse Paul Ashby

Grand Ballroom A, B, C, D, E

This will be an overview of the new adaptive assessment system that will replace CRT tests beginning in the 2013-2014 school year. It will include a detailed explanation of universal design for learning and accommodations/resources.

10:45 - 11:00 Break

11:00–12:15 Breakout Session IV

Q. Disability Harassment: Legal Update and Practical Thoughts

Dave Richards

Grand Ballroom A, B, C, D, E

Disability harassment is a violation of civil rights under ADA Title II and Section 504, and creates school district liability when schools fail to appropriately respond. Through case examples and federal Department of Education guidance, this session will help schools identify when harassment has occurred, illustrate common pitfalls and provide practical

tips for improving the school climate by creating an environment where harassment is not tolerated.

R. Playing Fair: The Legal Consequences when Parents and Schools Misbehave

Elena Gallegos

Ballrooms 1,2,3

When disagreements arise between parents and schools, emotions run high. Sometimes tempers flare and there are accusations from both sides that the other is engaging in bad faith behavior. This is despite the fact that one of the goals of Congress in the IDEA 2004 reauthorization was "fairness". How parents and schools treat one another in the context of a dispute over services can impact the outcome. This presentation will include a review of court cases in which the conduct of the parent and/or the school was at issue and a discussion of how the court ruled.

S. Post Secondary Transition

Julie Weatherly

Meeting Rooms 101, 102, 103

In 2004, Congress placed a great deal of emphasis on post-school outcomes under the IDEA and amended the law to place more importance on the provision of transition services to students with disabilities. This session will explore the legal history of transition services requirement, as well as court and agency decisions that have attempted to define what services are appropriate to meet the law's post-secondary transition requirements.

T. Developing High Quality IEPs Using Utah Core Standards—Stage Name: Standards-Based IEPs

Kim Fratto
Connie Nink

Meeting Rooms 201, 202, 203

Bridging the gap between general and special education with Standards-Based IEPs.

12:15-1:15 Box Lunch

1:15–2:30 Breakout Session V

U. FERPA Update

Dave Richards

Grand Ballroom A

The rules regarding confidentiality of student records are a "must know" for the special educator. In this session, we'll review the requirements as well as Family Policy Compliance Office (FPCO) guidance, and focus on areas of growing attention like access to test protocols, releasing information to law enforcement in connection with health and safety emergencies and recent changes affecting school ID badges.

V. How to be an Effective Advocate and Participate in the Political Process

Lindsay Jones

Grand Ballroom B-E

We elect members of Congress and local officials and yet most of our participation ends with casting a vote. This session aims to end that. Attendees will better understand how to get the most out of their members of Congress! How can you contact them? What is the best format to present your concerns and ideas? How can you work with others in your community to ensure your voice is heard? These questions and more will be answered and you'll walk away with concrete ideas for how to improve your advocacy.

W. Utah Parent Center and Disability Resources

Robyn Chidester

Ballrooms 1,2,3

This session will provide an overview of the Utah Parent Center and the services they provide. Participants will learn about resources that are available to support families that have a child with special needs.

X. What IEP Teams Need to Consider When Making Placement Determinations

Julie Weatherly

Meeting Rooms 101, 102, 103

There are many common mistakes that are made in the IDEA placement determination process, many of which can lead to a judicial finding that a school district has denied free appropriate public education (FAPE) to a student with a disability. This presentation will highlight the most common of these mistakes and will provide practical tips for IEP teams to consider in making placement determinations.

Y. Facilitation Marlu Gurr

Meeting Rooms 201, 202, 203

Z. Dynamic Learning Maps Assessment System (DLM) and the Essential Elements

Executive Room 100

Paul Ashby Christine Timothy Glenna Gallo Kim Fratto

This presentation will cover the development and timeline for the new alternate assessment called Dynamic Learning Maps Assessment System (DLM). It will also discuss the Essential Elements (EE) designed to be used for students with significant cognitive disabilities. There will be an opportunity to see the EE and to look at the DLM online professional development training modules that are available to teachers. Students will be prepared for the DLM as teachers use the EE to link their age appropriate grade level standards for instruction on the IEP. This session will discuss what is needed in 2013–14 to prepare for the DLM, as it replaces the UAA in the fall of school year 2014–15.

2:30 - 2:45 Break

2:45–4:00 Breakout Session VI

AA. Discipline of Students with Disabilities & IAES

Dave Richards

Grand Ballroom A

Discipline of students with disabilities requires special steps to ensure that students are not subjected to discrimination. We'll review the manifestation determination rules and process, and then focus on the unique issues arising from the IAES. including the modified FAPE requirement and other issues of interest.

BB. What's an "HQ Transition Plan" and Where Can I Find One? Susan Loving

Grand Ballroom B-E

Participants in this session will be able to identify the components of a high quality transition plan based on the SPP/APR Indicator 13 reporting requirement.

CC. Behavior Intervention Plans: When? What? How? Elena Gallegos

Ballrooms 1,2,3

The IDEA requires that the IEP Team address behavior when it interferes with learning. This can mean developing a BIP as part of the IEP if necessary for a FAPE. Additionally, in the context of a disciplinary change of placement when behavior is a manifestation of the disability, the IEP Team is charged with developing or revising the BIP. This presentation will address when a BIP is required, the components of a legally sound BIP and the importance of monitoring and ensuring its effectiveness.

DD. Time for Change: Examining Utah Data on Student Performance

Glenna Gallo

Meeting Rooms 101, 102, 103

This session will be a review of Utah's Annual Performance Report (APR) and the State Performance Plan (SPP). Participants will review trend data on student performance on a variety of indicators and discuss planned changes in special education services at the state level.

EE. The Value in School Nurse Collaboration

Catherine Sparks

Meeting Rooms 201, 202, 203

Our public schools are seeing an increase in the acuity and diversity of students with chronic health conditions. As the healthcare professional in the school setting, the skills and experience that a school nurse provides becomes a vital component of educating the whole child. Come to understand the role of the school nurse and how to utilize their expertise and knowledge to help build student and family capacity for adaptations, self management, self advocacy, and learning.

4:00 End of Day Two